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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

LIZETTE CAUCH,

Defendant and Appellant.

A160468

(San Francisco County  
Super. Ct. No. SCN227068)

Appellant Lizette Cauch appeals from a June 16, 2020 judgment entered on remand following our decision in Appeal No. A154490, in which we reversed appellant's conviction for attempted robbery for insufficient evidence, reduced the conviction, and remanded this case for resentencing solely on that count as reduced (count 2).

Appellant now moves for summary reversal of the judgment, arguing the trial court failed to effectuate the terms of our remittitur by reducing her attempted robbery conviction to grand theft from a person (Pen. Code, § 487, subd. (c)), rather than to the lesser-included offense of *attempted* grand theft from a person (*id.*, §§ 487, subd. (c), 664), and re-sentencing her on the completed crime (for a middle term of two years) rather than on the attempted crime.

The parties have waived their right to oral argument in connection with appellant's motion. At appellant's request and on our own motion, we

take judicial notice of the entire record of Appeal No. A154490, including the appellate briefs filed by the parties.

Appellant's motion for summary reversal is GRANTED.

Defendant's conviction for grand theft from a person (Pen. Code, § 487, subd. (c)) is modified to attempted grand theft from a person (*id.*, §§ 487, subd. (c), 664), and her sentence on that count (count 2) is reduced from a term of two years to a term of one year. The court shall prepare and transmit to the California Department of Corrections and Rehabilitation a new abstract of judgment consistent with this decision. In all other regards, the judgment of conviction is affirmed.

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KLINE, P.J.

WE CONCUR:

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RICHMAN, J.

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STEWART, J.

*People v. Cauich* (A160468)